

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 1204 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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RAJUBHAI UMEDBHAI PATEL

Versus

STATE OF GUJARAT

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Appearance:

HL PATEL ADVOCATES for Petitioners

Mr. Gohil for Respondent No. 1

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CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 17/04/98

ORAL JUDGEMENT

Heard learned Advocate Mr. P.H. Patel for Mr.  
H.L. Patel Associates on behalf of the petitioner.

Rule. Learned A.P.P. Mr. Gohel waives service of rule. Parties have not pressed for reasoned order.

In consideration of the facts and circumstances

apparent from the record in the context of submissions urged at the Bar, it is ordered that in the event of arrest of the petitioner in connection with CR No. I-24/98 registered with Kambholaj Police Station, District Kheda for the offences made punishable under Secs.147,148, 149 etc. each of the petitioner be admitted to bail on executing his personal bond of Rs.5000/-Rupees five thousand) and furnishing one surety for the like amount on the following conditionsL:

1. They shall remain present before the trial court regularly as and when directed on dates fixed;
2. They shall report at the Kambholaj Police Stationn on the 1st and 15th day of each month during the currency of this order, between 11:00 AM and 2:00 Noon/PM.
3. They shall make himself available for interrogation by a police officer whenever and wherever required.
4. They shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer.
5. They shall not obstruct or hamper the police investigation and not play mischief with the evidence collected or yet to be collected by the police.
6. They shall at the time of execution of bond furnish the address to the Investigating Officer and the Courts at Bhavnagar, and shall not change his residence till the final disposal of the case or till further orders.
7. They shall not leave the place of his residence for a period beyond five days without the permission of the Court. Further, he shall not leave India without the permission of the Court.
8. It would be open to the investigation officer to file an application for remand if he considers it proper and the learned Magistrate would decide it on merits.

All of which conditions shall be treated as conditions on

which bail is granted. This order will hold good if the petitioner is arrested at any time within 90 days from today. The order for release on bail will remain operative only for a period of ten days from the date of his arrest. Thereafter it will be open to the petitioners to make a fresh application for being enlarged on bail which when it comes before the Competent Court will be disposed of in accordance with law, having regard to all the attendant circumstances and the materials available at the relevant time uninfluenced by the fact that Anticipatory Bail is granted by this Court to the petitioner.

Rule is made absolute accordingly. No order as to costs. D.S. is permitted.

(A.K.Trivedi,J.)  
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